

**REQUEST FOR
QUALIFICATIONS (RFQ)**

I-405, SR 520 TO SR 522 STAGE I

“KIRKLAND STAGE 1”

DESIGN-BUILD PROJECT

October 18, 2004

STATEMENTS OF QUALIFICATIONS DUE:

December 15, 2004

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1.0 INTRODUCTION

1.1 Request for Qualifications

The Washington State Department of Transportation (WSDOT) is requesting Statements of Qualifications (SOQs) from entities (Submitters) interested in submitting proposals for the I-405, SR 520 to SR 522 Stage I (Kirkland Stage 1) Design-Build Project (Project) in Kirkland, Washington. By submitting an SOQ, Submitters agree to be bound by the requirements of this Request for Qualifications (RFQ).

SOQs will be evaluated to determine a short-list of the most highly qualified Submitters with the capabilities to successfully deliver the Project. Submitters shall provide evidence, as described herein, of an organization that has all necessary capabilities including project management, quality management, obtaining environmental and other permits, environmental compliance, engineering, design, construction, public information and community involvement. Short-listed Submitters will be invited to submit a response (Proposal) to a Request for Proposals (RFP).

The Project will widen and reconstruct I-405 between NE 85th Street and NE 124th Street in Kirkland. Planned highway improvements include one additional lane in each direction on I-405, realignment of the northbound offramp to NE 116th Street and replacement of the I-405, NE 116th Street Overcrossing structures.

1.2 Submitter Information

Each entity that intends to submit an SOQ shall provide WSDOT's Contract Ad & Award Office (See contact information below) with the name and e-mail address of its contact person. This contact person will be the single point of contact throughout the RFQ process. WSDOT will distribute addenda and other communications directly to the identified contact person, and will also post them on the WSDOT web site. The contact person will be responsible for distributing copies within its team.

Ken Walker
WSDOT Contract Ad and Award
PO Box 47360
Olympia 98504-7360
Email: walkeke@wsdot.wa.gov

2.0 PROCUREMENT PROCESS

2.1 Process Overview

WSDOT will use a two-step procurement process to select a design-build contractor (Design-Builder) to deliver the Project. This RFQ is issued as part of the first phase to solicit information in the form of SOQs, which WSDOT will evaluate to determine which Submitters are the most highly qualified to successfully deliver the Project. WSDOT will short-list at least three (if any) but not more than five of the most highly qualified Submitters. WSDOT may cancel or re-advertise this procurement at its discretion.

In the second phase, WSDOT will issue an RFP for the Project to the short-listed Submitters. Only the short-listed Submitters will be eligible to submit proposals for the Project. Each short-listed Submitter that submits a proposal in response to the RFP (if any) is referred to herein as a "Proposer." WSDOT may award a design-build contract (Contract) for the Project to the Proposer offering the best value, to be determined as described in the RFP.

WSDOT plans to pay a stipend to all non-successful Proposers that submit a responsive Proposal.

2.2 Procurement Schedule

The deadline for submitting RFQ questions and the SOQ are stated below. WSDOT also anticipates the following additional procurement milestone dates. This schedule is subject to revision by the RFP and addenda to this RFQ.

Action	Date
Issue RFQ	October 18, 2004
Voluntary Meeting for potential Submitters	November 1, 2004
Deadline for submitting RFQ questions	November 23, 2004
SOQ due date	December 15, 2004
Notify short-listed Submitters	January 14, 2005
Issue Draft RFP for Industry Review*	January 17, 2005
Industry Review One-On-One Meetings*	February 15 to March 15, 2005
Issue RFP*	Upon Environmental Clearance Anticipated to be May 5, 2005
Proposals due*	Anticipated six weeks after last major permit is obtained and final addenda is issued, Assumed to be between June 15 and August 31, 2005
Announce Apparent Best Value	Assumed to be July 15, 2005
Award	Assumed to be August 1, 2005

*Short-Listed Teams Only

2.3 WSDOT Point of Contact

WSDOT's Contract Manager, Mr. Brian Nielsen, is WSDOT's sole contact person and addressee for receiving all communications from potential Submitters about the Project, except as permitted by Sections 1.2, 5.1 and 9.1. Submitters may contact WSDOT's Contract Manager by letter, phone, fax, or e-mail as follows:

	Brian Nielsen, P.E.
	Contract Manager
	Washington State Department of Transportation
	600 – 108 th Avenue Northeast, Suite 405
	Bellevue, WA 98004
Phone:	(425) 456-8502
Fax:	(425) 456-8600
E-mail:	nielseb@wsdot.wa.gov

2.4 Ex Parte Communications

Submitters are expected to conduct themselves with professional integrity and to refrain from lobbying activities. During the Project procurement process, commencing with issuance of this RFQ and continuing until award of a contract for the Project (or cancellation of the procurement), no employee, member, agent, advisor or consultant of any Submitter shall have any ex parte communications, directly or indirectly, regarding this procurement with any representative of WSDOT or the Federal Highway Administration, including their staff, advisors, contractors or consultants involved with the procurement, except for communications expressly permitted by this RFQ (or, subsequent to issuance of the RFP, except for communications expressly permitted by the RFP). Any verified allegation that a Submitter or Submitter member or an employee, agent, advisor or consultant of a Submitter or Submitter member has engaged in such prohibited communications or attempted to unduly influence the selection process may be cause for WSDOT to disqualify the Submitter or to disqualify the Submitter member from participating with the Submitter, all at the sole discretion of WSDOT's Contract Manager.

2.5 Voluntary Meeting for Potential Submitters

On the date indicated in the schedule in Section 2.2, WSDOT will hold an informational meeting for potential Submitters regarding this RFQ. Attendance at this meeting is not a prerequisite to being a Submitter. The meeting will be held from 10:00 AM to 12:00 PM, at the following location:

Kirkland Teen Center
348 Kirkland Avenue
Kirkland, WA 98003

Directions to the Kirkland Teen Center are available on the project web site at
www.wsdot.wa.gov/projects/I-405/kirkland.htm

2.6 Questions and Clarifications; Addenda

Questions and requests for clarification regarding this RFQ must be submitted in writing to WSDOT's Contract Manager as described in Section 2.3. To be considered, all questions and requests must be received by 4:00 P.M., Pacific Standard Time, on the date indicated in Section 2.2.

WSDOT reserves the right to revise this RFQ at any time before the SOQ due date. Such revisions, if any, will be announced by addenda to this RFQ.

WSDOT will use the following guidelines when responding to questions and requests for clarification and issuing addenda:

- Questions and requests for clarification will be posted to WSDOT's design-build website as soon as they are received.
- WSDOT will answer questions and requests for clarification by posting a response on its design-build website.
- WSDOT will send an e-mail notification to the contact person for each Submitter as soon as each addendum, response or group of responses is issued. The notification will include an electronic copy of the addendum or clarification when possible.

The Submitter must acknowledge receipt of all addenda by completing and providing Form AA with the Introduction Letter of the SOQ.

3.0 SCOPE OF THE PROJECT

3.1 Estimated Cost

The estimated cost of the I-405, SR 520 to SR 522 Stage I Design-Build contract is \$35 million. Presently, funding for the Contract is State funds from the State Nickel program.

3.2 Maximum Time Allowed

All aspects of the Kirkland Stage I Design-Build Project are scheduled to be completed and open to traffic no later than October 31, 2007.

3.3 Project Goals

The following goals have been established for the Project:

Quality of Design and Construction

- Deliver the Project on time and within budget.
- Meet or exceed technical quality requirements for design and construction, and provide evidence that all quality assurance and quality control requirements have been met.

Environmental Compliance and Innovation

- Meet or exceed environmental requirements during design and construction with no permit violations.

Maintenance of Traffic

- Minimize inconvenience to the public and maximize safety during construction.

Public Information and Community Involvement

- Maintain community support during design and construction.

3.4 Conceptual Design

The conceptual design of the Project has been developed in conjunction with the ongoing Environmental Assessment (EA) and is subject to change pending the final results of the environmental decision process. The conceptual design based on the final environmental decision documents will be included in the RFP. The final alignments, grades, and other design features will be the responsibility of the Design-Builder.

3.5 Project Scope and Status

The following project scope is being provided to prospective Submitters to assist in developing a team with the expertise that is required for the project. The Design-Builder will be responsible for management, design, construction, and warranty of the project. The design, construction, and warranty by the Design-Builder shall be in accordance with applicable WSDOT guidelines and standards as required by the RFP. The intent is to allow flexibility in design (and subsequent construction) to accommodate processes, procedures, and innovative techniques that are preferred by the Design-Builder, as long as they are consistent with site conditions, good engineering practices, context sensitive solutions, the environmental decisions documents and permits and other standards, guidelines, and procedures identified in the RFP. The scope of work for the project presented below may or may not be the final scope of work as presented in the RFP.

3.5.1 Management

The Design-Builder will be responsible for managing all aspects of the design and construction and other required activities included in the scope of work contained in the final RFP.

3.5.2 Co-Location

The Contract will require the Design-Builder to provide office space at the location of the lead engineering design firm for the Design-Builder's management staff and WSDOT's Contract Manager and Design Manager throughout the design process. In addition, the Contract will require the Design-Builder to provide office space in a single location for the Design-Build Project Manager, Design Manager, Construction and Quality Management, and WSDOT's Construction Oversight staff (anticipated to be a maximum of eight positions) for the duration of the construction of the project.

3.5.3 Scope of Design and Construction

The scope of work includes:

- Addition of a northbound lane from NE 85th Street to NE 116th Street
- Addition of a southbound lane from NE 116th Street to NE 85th Street
- Realignment of the northbound off-ramp to NE 116th Street to allow for future construction of a Single Point Urban Interchange (SPUI) interchange
- Replacement of the I-405, NE 116th Street Overcrossing structures

The Design-Builder will also provide design of future improvements within the limits of the project including a SPUI interchange at NE 116th Street. The scope of this design effort will be included in the RFP and constructed under a future contract.

Items of work associated with this scope include:

- Structures
- Drainage
 - Includes replacement of one culvert to meet fish passage criteria
- Pavement
- Maintenance of Traffic
- Signing and Pavement Marking
- Illumination
- Intelligent Transportation Systems
 - Fiber optic cable, cameras, vehicle detection loops, ramp meters, HOV bypass lanes, overhead variable message signs, and integration of SC&DI systems
- Signals
- Landscape and Aesthetics
- Survey
- Geotechnical Investigation and Design
- Environmental
 - Avoid and minimize environmental impacts during early design stages
 - Work with WSDOT to obtain any additional permits or approvals needed due to design changes beyond the scope of the permitted activities
 - Demonstrate compliance with permit conditions, approvals, and environmental regulations on a regular basis
 - Ensure that all environmental mitigation measures and NEPA/SEPA commitments are fulfilled including:
 - Construction of Wetland Mitigation
 - Construction of Noise Walls
- Construction of Wetland and Stream Mitigation
- Design and Construction of Noise Walls
- Utilities
 - Initial identification of utilities has been completed. Relocation of known utilities will be completed prior to award of the contract; further identification and coordination of utilities will be the responsibility of the Design-Builder
 - One sanitary sewer line, owned by the City of Kirkland, may require protection within the contract, depending the final design
- Right of Way (ROW)
 - The final project ROW limits will be identified in the RFP; it is the intent of WSDOT that the Project will be limited to the ROW limits established for the Project in the environmental document; all construction easements and construction permits (for work in local agency ROW) shall be obtained by the Design-Builder in conformity with the Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended

- Community Involvement
 - The Design-Builder will accomplish the following community involvement activities:
 - Maintaining open communication with the City of Kirkland and the residential and business communities adjacent to the Project in public information activities, notifications, and Context Sensitive Solutions (CSS) actions/changes
 - Participating in meetings to coordinate communications between the I-405 Kirkland Nickel, other WSDOT projects, City of Kirkland projects, and Sound Transit projects (i.e.: 128th Direct Access) in the Project vicinity
 - Ensuring the final design is compatible with the community's values, including but not limited to such items as structural aesthetics, landscaping, and lighting
 - Coordinating with the community once construction activities begin, and throughout construction
 - Actively working and coordinating with stakeholders directly impacted by construction
- Public Information
 - WSDOT will lead strategic communications for the Project; the Design-Builder will provide the following communication efforts in collaboration with WSDOT staff:
 - Media and community relations to provide information about construction related inconveniences, including traffic, noise, closures, dust and debris
 - Media and community relations regarding project progress and design-build contracting
 - Develop, produce and distribute communication materials for the Project
 - Maintain an active database of:
 - 1) Citizen/stakeholder comments and responses
 - 2) Planned and current construction activities
 - Active participation, including providing speakers, project information, and graphics, in the Kirkland Advisory Committee
- Quality
 - The Design-Builder will perform all quality control and quality assurance activities for construction and design; these will be further defined in the RFP and the Design-Builder's Quality Management Plan
- Warranties
 - The warranty period is expected to be 2 years for the general project and 3 years for pavement

3.6 Environmental Documentation

NEPA/SEPA Environmental Documentation

WSDOT prepared an I-405 Corridor Program Final Environmental Impact Statement (FEIS). The I-405 Corridor Program FEIS examined a number of alternatives including a No Action and a Preferred Alternative. A Record of Decision (ROD) for the I-405 Corridor Program was issued in October 2002, where federal, state, and local agencies concurred that the Selected Alternative met the Purpose and Need of the I-405 Corridor Program. The I-405 Corridor Program FEIS can be viewed at <http://www.wsdot.wa.gov/projects/I-405/feis.htm>.

WSDOT is currently in the process of preparing a project-specific EA for the Project as funded by the Washington State Legislature in 2003. The Project is the first of two construction phases to complete the Kirkland Nickel project. A draft project description for the Preliminary EA, addressing both phases of the Kirkland Nickel project, is available at WSDOT's design-build website.

Permitting

WSDOT is currently working with a Multi-Agency Permitting (MAP) Team and other resource agencies to obtain a number of permits required for the Kirkland Nickel project. A list of the permits WSDOT will obtain prior to release of the RFP is also available on the WSDOT design-build website.

4.0 TEAMING PARAMETERS

The following section describes requirements that all Submitters must satisfy in submitting SOQs. Failure of any Submitter to meet these requirements may result in rejection of its SOQ.

4.1 Major Participant

As used herein, the term “Major Participant” means any of the following entities:

- (a) The Submitter or, if the Submitter is a partnership, joint venture, limited liability company or other form of association, any general partners, joint venture members or members of the Submitter
- (b) If not included in clause (a), all individuals, persons, proprietorships, partnerships, limited liability partnerships, corporations, professional corporations, limited liability companies, business associations, or any other legal entity however organized, holding (directly or indirectly) a 15% or greater interest in the Submitter
- (c) The lead engineering/design firm(s)
- (d) Each engineering/design sub-consultant that will perform 20% or more of the design work
- (e) Each subcontractor that will perform 20% or more of the construction work

4.2 WSDOT Consultant/Technical Support

WSDOT has retained the consulting firms of HNTB Corporation, HDR Engineering, Inc., PRR Inc., Parsons Transportation Group Inc., Anchor Environmental, Certified Land Services Corporation, Wilkinson Ferrari & Company, and Nossaman Guthner Knox & Elliott LLP to provide guidance in preparing and evaluating this RFQ, the subsequent RFP, and advice on related financial, contractual and technical matters. Each of these firms is prohibited from joining any Submitter’s team or otherwise assisting any Submitter in connection with the procurement process.

4.3 Organizational Conflicts of Interest

WSDOT will take steps to ensure that individuals involved in preparation of the procurement package, evaluation of SOQs and Proposals and Design-Builder selection are not influenced by organizational conflicts of interest, and that no Submitter is given an unfair competitive advantage over another. The Federal Highway Administration has defined “organizational conflict of interest” in 23 CFR Section 636.116, as follows:

Organizational conflict of interest means that because of other activities or relationships with other persons, a person is unable or potentially unable to render impartial assistance or advice to the owner, or the person's objectivity in performing the contract work is or might be otherwise impaired, or a person has an unfair competitive advantage.

Attention is directed to the requirement for disclosure of organizational conflicts of interest set forth in 23 CFR Section 636.116(a) (2), applicable to federal-aid procurements. WSDOT has determined that such disclosure is appropriate for non-federally funded projects as well.

Submitters are required to identify any potential organizational conflicts of interest in the SOQs. If an organizational conflict of interest is determined to exist, WSDOT may, at its discretion, disqualify the Submitter from further participation in the procurement, cancel this procurement or, if award has already occurred, WSDOT may cancel the Contract. If the Submitter was aware of an organizational conflict of interest prior to the award of the contract and did not disclose the conflict to WSDOT, WSDOT may terminate the contract for default. WSDOT may also disqualify a Submitter if any of its Major Participants listed in category (a), (b) or (c) of the definition of Major Participants belong to more than one Submitter organization.

4.4 Team Continuity and Changes to Organizational Structure

Following submittal of the SOQ, Key Personnel or Major Participants identified in the SOQ may not at any time be removed, replaced or added to without the written approval of the WSDOT Contract Manager. The WSDOT Contract Manager may revoke the short-list status of a Submitter if any Key Personnel or Major Participant identified in the SOQ is removed, replaced or added to without the WSDOT Contract Manager's written approval. To qualify for said approval, the written request must document that the proposed removal, replacement or addition will be equal to or better than the Key Personnel or Major Participant provided in the SOQ. The WSDOT Contract Manager will use the criteria specified in this RFQ to evaluate all requests. Requests for removals, replacements and additions must be submitted in writing as described in Section 2.3.

4.5 Equal Employment Opportunity

Discrimination in all phases of contracted employment, consultant activities, contracting activities and training is prohibited by Title VI of the Civil Rights Act of 1964, Section 162(a) of the Federal-Aid Highway Act of 1973, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, the Justice System Improvement Act of 1979, the Americans with Disabilities Act of 1990, the Civil Rights Restoration Act of 1987, 49 CFR Part 21, the Washington State Law Against Discrimination, RCW 49.60 and other related laws and statutes. The referenced legal citations establish the minimum requirements for affirmative action efforts and define the basic nondiscrimination provisions as required by this RFQ. Further requirements and discussions regarding EEO policies at all contracting levels will be set forth in the RFP.

4.6 Minority and Women's Business Enterprises Participation

WSDOT encourages participation in all of its contracts by Minority and Women's Business Enterprises (MWBE) as certified by the Office of Minority and Women's Business Enterprises (OMWBE) and defined in WAC 326-02-030. WSDOT anticipates establishing voluntary goals for MWBE participation for the Project. The participation goals will be set forth in the RFP. Nevertheless, unless required by federal law, no preference will be included for meeting goals in the evaluation of proposals, no minimum level of MWBE participation shall be required as a condition for receiving an award, and proposals will not be rejected or considered non-responsive due to a failure to meet goals. Bidders may contact OMWBE to obtain information on certified MBE/WBE firms.

5.0 SUBMITTAL LOGISTICS AND FORMAT

This Chapter describes requirements that all Submitters must satisfy in submitting SOQs. Failure of any Submitter to follow these requirements may result in rejection of its SOQ.

5.1 Due Date, Time and Location

All sealed SOQs are to be received at one of the following locations prior to 4:00 P.M. Pacific Standard Time, on the date identified as the “SOQ due date” in the Project Schedule shown in Chapter 2.3 of this RFQ:

1. By U.S. mail: Washington State Department of Transportation, Post Office Box 47360, Olympia, WA, 98504-7360, Attn: Ken Walker. WSDOT will consider notification of bid receipt by the Mail Room as the actual receipt of the SOQ.
2. By hand (in person or by courier) to WSDOT’s Contract Ad & Award Office, Room 1A23 located at the Transportation Building, 310 Maple Park Avenue SE, Olympia WA, 98504-7360. SOQs delivered in person will be received only in the Contract Ad & Award Office Room 1A23.

WSDOT will not accept SOQs by facsimile or electronic transmission. Any SOQ that fails to meet the deadline or delivery requirement will be rejected and returned to the Submitter without having been opened, considered or evaluated.

5.2 Organization

Organize the SOQ using the following section headings, order of documents, and maximum number of pages:

Section	Section Title and Required Information	Maximum Pages
1	Introduction Letter	
	<ul style="list-style-type: none"> • Introduction Letter • Form AA: Acknowledgment of Addenda 	2 1
2	Submitter Information	
	<ul style="list-style-type: none"> • Form A: Submitter Information • Form E: Submitter's Organization Information • Organizational Chart(s) 	2 2 2
3	Legal	
	<ul style="list-style-type: none"> • Legal Structure and supporting documents • If JV, statement of joint and severable liability • Conflict of Interest Information 	As required As required As required
4	Financial	
	<ul style="list-style-type: none"> • Surety Letters • History of Bonding Companies 	As required As required
5	Key Personnel	
	<ul style="list-style-type: none"> • Form F: Key Personnel Matrix • Resumes of Key Personnel 	3 3 page maximum each, 15 page maximum total
6	Submitter Experience	
	<ul style="list-style-type: none"> • Form B: Design-Builder Certification • Form C: Design-Builder Safety Statistics • Form D: Summary of Comparable Contracts 	As required As required 50
7	Organizational Approach	
	<ul style="list-style-type: none"> • Narrative <ul style="list-style-type: none"> ○ Introduction ○ Quality of Design and Construction ○ Environmental Compliance and Innovations ○ Maintenance of Traffic ○ Public Information and Community Involvement 	10 total

5.3 Format

- **Language:** All information shall be in English.
- **Medium:** The SOQ shall be in printed hard-copy form. No electronic files will be accepted.
- **Type Font:** All narrative text shall be in a regular Times Roman style font at a minimum of twelve points in size, and single-spaced. The type style and size of headings and figures are not prescribed.
Font size and style in forms shall be as provided in the MS Word copies available in the WSDOT website identified in Chapter 6.
- **Photos:** No photos will be allowed except for on the cover page.
- **Page Size:** Except for charts, exhibits and other illustrative and graphical information, all information must be printed on 8.5" x 11" paper. Charts, exhibits and other illustrative and graphical information may be on 11" x 17" paper, but must be folded to 8.5" x 11" and will be counted as one sheet.
- **Page Margins:** No text, tables, figures, or other substantive content may be printed within 0.75" of any page edge.
- **Page Limit:** Refer to the limits described in Chapter 5.2 of this RFQ. Submit only the information required by this RFQ. No other information will be considered in the evaluation of the SOQs.
- **Dividers:** Section dividers shall contain the section number and/or Section title. No other text is permitted on the dividers.
- **Binding:** Each copy of the SOQ shall be bound in a separate, single three-ring binder.
- **Front Cover:** The front cover of each SOQ must be labeled with the team name of the Submitter, along with the language "I-405, SR 520 To SR 522 Stage 1 Design-Build Project", "Statement of Qualifications" and the date of submittal.

Failure to comply with these requirements may result in rejection of the SOQ.

5.4 Quantities

Each Submitter must provide WSDOT with one original unbound SOQ bearing original signatures and 20 copies of the SOQ, for a total of 21 SOQs. The original must be identified as an original on its front cover, in colored ink. Each copy must be identified on its front cover, in the upper right-hand corner, as "Copy X of 20 Copies."

All binders must be packed together in one sealed package for delivery to WSDOT. The outside of the sealed package must be clearly identified, labeled and addressed as follows:

- Return address: Submitter's name, contact person's name, mailing address;
- Date of submittal;
- Contents labeled as "I-405, SR 520 To SR 522 Stage 1 Design-Build Project" and "Statement of Qualifications"; and
- Addressed to WSDOT's Contract Ad and Award Office as identified in Section 5.1.

6.0 CONTENT OF STATEMENT OF QUALIFICATIONS

This section describes specific information that must be included in the SOQ. SOQs must follow the outline presented in Section 5.2. Submitters shall provide brief, concise information that addresses the requirements of the Project consistent with the evaluation criteria described in this RFQ.

Documents submitted pursuant to this RFQ will be subject to RCW 42.17.260 pertaining to public documents and availability of information to the public, as applicable.

Required forms for the SOQ are provided at the end of this RFQ and are available in MS Word format at the following website: www.wsdot.wa.gov/biz/contaa/kirkland.

NOTE: It is recognized that the design and construction industry has limited experience delivering highway projects using the design-build model in the Northwest. Therefore, Submitter experience for design or construction activities on projects of similar scope will be considered. Furthermore, Submitters should give extra consideration to selection of Key Personnel and Organizational Approach in the development of their teams.

6.1 Introduction Letter (Section 1)

6.1.1 Objective

The objectives of the Introduction Letter include:

- To identify Submitters, authorized representatives and points of contact
- To obtain a commitment of availability for Key Personnel
- To acknowledge receipt of addenda

6.1.2 Requirements and Information to be Submitted

The SOQ shall include an Introduction Letter stating, among other things, the business name, address, business type (e.g., corporation, partnership, joint venture) and roles of the Submitter and each Major Participant. The Introduction Letter shall identify one contact person and his or her address, telephone and fax numbers, and e-mail address. This person shall be the single point of contact on behalf of the Submitter organization, responsible for correspondence to and from the organization and WSDOT. WSDOT will send all Project-related communications to this contact person.

The Introduction Letter shall be signed by an authorized representative(s) of the Submitter and each Major Participant listed in category (a) of the definition of Major Participants. If the Submitter is a joint venture, all of the joint venture members must sign the letter. If the Submitter is not yet a legal entity, the Major Participants must sign the letter and must state their intent to form the entity prior to the Proposal due date. The letter must certify the truth and correctness of the contents of the SOQ. This information will be used to identify the Submitter and its designated contact, and will be reviewed on a pass/fail basis only and not as part of the qualitative assessment of the SOQ.

In addition to the contact information noted above, the Introduction Letter shall contain the following information:

1. The Submitter's expression of interest in being selected for the Project
2. A statement that the Submitter, or at least one Major Participant who is performing construction and is included in category (a) of the definition of Major Participants, is pre-qualified with WSDOT for work class 1 or 6 in the amount of \$10 million or more
3. A statement that the Submitter is prepared to commit the Key Personnel identified in the SOQ to the Project, to the extent necessary to meet WSDOT's schedule and quality expectations
4. A statement that the Submitter will comply with WSDOT's policy on MWBE and training requirements and WSDOT's non-discriminatory policy for the Contract
5. A summary of key points regarding the Submitter's qualifications
6. A statement that the Submitter will comply with all applicable federal, state, and local laws and regulations

The Introduction Letter shall be addressed to WSDOT's Point of Contact identified in Chapter 2.3 of this RFQ.

In addition to the Introduction Letter, include in Section 1 "Form AA, Acknowledgment of Addenda".

6.2 Submitter Information (Section 2)

6.2.1 Design-Builder Information

Complete Form A for the Submitter and each Major Participant listed in category (a) of the definition of Major Participants. If the Submitter is not yet formed, Form A must be completed by each of the anticipated Major Participants in category (a) of the definition of Major Participants.

6.2.2 Submitter Organizational Structure

Provide the following information on Form E:

- A list of all Major Participants known to the Submitter at the time of submission
- The type(s) of services that each Major Participant provides, and the length of time each Major Participant has been providing those services
- The number of employees each Major Participant has in total and within the State of Washington

6.2.3 Organizational Chart(s)

Provide a proposed organizational chart(s) showing the flow of the “chain of command” with lines identifying participants who are responsible for major functions to be performed and their reporting relationships, in managing, designing and building and performing Quality Assurance and Quality Control for the Project. The chart(s) must identify proposed Key Personnel by name and indicate the anticipated percent of time that each Key Personnel would be committed to the Project. Identify the Submitter and all Major Participants and their roles in the chart(s). Identify the critical support elements and relationships of project management, project administration (schedule and budget control), construction management, design management, quality control, quality assurance, safety, environmental management (during design and construction), community involvement, maintenance of traffic, subcontractor administration and any other significant function.

6.3 Legal (Section 3)

6.3.1 Objective

To identify legally constituted Submitters able to submit Proposals, enter into the Contract, and complete the work, who either have or have committed to obtaining all required licenses.

6.3.2 Requirements and Information to Be Submitted

6.3.2.1 Submitter Organizational Structure

Provide a description of the legal entity proposed to be the Design-Builder. If the Submitter legal entity has already been formed, provide complete copies of the organizational documents along with those documents that allow, or would allow by the time of contract award, the Submitter and its team members to conduct business in the State of Washington. If the Submitter legal entity has not yet been formed, provide a brief description of the proposed legal structure and provide draft/final copies of the underlying agreements. Once the legal entity is finalized, the Submitter shall supplement its SOQ with copies of the final organizational documents. Such organizational documents shall be submitted no later than 15 calendar days before the Proposal due date as described in the RFP.

6.3.2.2 If a Joint Venture, Limited Liability Company, or partnership

In the case where the Submitter is a Joint Venture, Limited Liability Company, Partnership, or other association, provide an express statement from each of the partners/members as to their joint and severable liability on the Project. WSDOT Standard Form 410-009 Individual Project Statement of Joint Venture shall be used. This form is available for download at:

<http://www.wsdot.wa.gov/biz/contaa/prequal/>

In the instructions to form 410-009, the requirement for prequalification applies to those firms performing construction work on the project, i.e. contractors. The prequalification requirement does not apply to joint venture members providing design and engineering services only.

6.3.2.3 Organizational Conflicts of Interest

Identify all relevant facts relating to past, present or planned interest(s) of the Submitter's team (including the Submitter, Major Participants, proposed subconsultants and subcontractors, and their respective chief executives, directors, officers and key personnel) which may result, or could be viewed as, an organizational conflict of interest in connection with this RFQ. See Chapter 4.3 of this RFQ.

Disclose for the Submitter, Major Participants, and proposed subconsultants and subcontractors: (a) any current contracts with WSDOT pursuant to which the entity acts as an extension of staff or otherwise might be considered an agent of WSDOT (identifying the WSDOT contract number and project manager); (b) present or planned contractual or employment relationships between the entity and any current WSDOT employee; and (c) any current WSDOT employees who might be deemed to have a financial interest in the Contract if awarded to the Submitter. The Submitter must also disclose any current contractual relationships where the Submitter or any of its affiliated entities works for, or is a joint venture, partner, shareholder or member with HNTB Corporation, HDR Engineering, Inc., PRR Inc., Parsons Transportation Group Inc., Anchor Environmental, Certified Land Services Corporation, Wilkinson Ferrari & Company, and Nossaman Guthner Knox & Elliott LLP. The foregoing is provided by way of example, and shall not constitute a limitation on the disclosure obligations.

For any fact, relationship or circumstance disclosed in response to this part of the RFQ, identify steps that have been or will be taken to avoid, neutralize or mitigate any organizational conflicts of interest.

In cases where Major Participants on different Submitter organizations belong to the same parent company, each Submitter must describe how the participants would avoid conflicts of interest through the SOQ and Proposal phases of the Project.

6.4 Financial (Section 4)

6.4.1 Objective

To identify Submitters with demonstrated capability to undertake the financial responsibilities associated with the Project, including bonding and guarantees.

6.4.2 Requirements and Information to Be Submitted

Provide a letter from a surety or insurance company stating whether or not the Submitter is capable of obtaining proposal, payment, performance, and warranty bonds as indicated in the table below for the row labeled "For RFQ Purposes".

Selection Phase	Proposal Bond/Security	Payment Bond/Security	Performance Bond/Security	*Warranty Bond/Security
For RFQ Purposes	\$1,750,000	\$35,000,000	\$35,000,000	\$11,000,000
For RFP Contract Purposes	5% of Proposal Amount	100% of Proposal Amount	100% of Proposal Amount	\$11,000,000

*The warranty period is expected to be 2 years general, 3 years paving.

The letter shall also specifically state that the surety/insurance company has evaluated the backlog and work in progress of the Submitter and its principal members in determining the Submitter's capability to obtain bonds. Letters indicating "unlimited" bonding capability are not acceptable. The surety or insurance company providing such letter must be authorized to do business in the State of Washington with an A.M. Best Co. "Best's Rating" of A- or better.

Provide a statement listing the names of all surety companies utilized by the Submitter (and all its principal members) in the last five years. State whether a surety had to complete any part of the Submitter's or principal member's work during the past five years or pay any subcontractor or supplier thereof.

6.5 Key Personnel (Section 5)

6.5.1 Objective:

To identify Submitters that will provide personnel that have the knowledge, skills, and experience as applicable to meet the Project Goals as stated in Chapter 3.3 of this RFQ. The Key Personnel positions will be required to have the technical and management experience and expertise to plan, organize, and execute the design and construction and assure the quality and safety of the Project.

6.5.2 Requirements and Information to Be Submitted

6.5.2.1 Key Personnel Matrix

Complete Form F, Key Personnel Matrix. Provide at least two references for each Key Personnel member. References shall be owners or clients for whom the Key Personnel have worked within the past 5 years.

6.5.2.2 Resumes of Key Personnel

Complete resumes for Key Personnel shall be provided. Resumes for Key Personnel shall be limited to a maximum of three pages each. Resumes should highlight the following information:

- a) Relevant licensing and registration/certification
- b) Years of experience performing similar work
- c) Actual work examples including projects, duties performed and percent of time on the job
- d) Education and training

6.5.3 Definition of Key Personnel

The following are defined as Key Personnel:

- **Design-Builder's Project Manager**
- **Construction Manager** (The Design-Builder may elect for this individual to be the same individual designated as the Design-Builder's Project Manager)
- **Construction Quality Assurance Manager**
- **Design Manager**
- **Environmental Compliance Manager**

Note: A commitment of the individuals to fill the roles of Traffic Engineering Manager and Public Information Coordinator is not a requirement of this RFQ. The Traffic Engineering Manager, Public Information Coordinator, and others will be included as Key Personnel in the RFP.

6.5.4 Key Personnel Qualifications

The qualifications and experience of Key Personnel will be reviewed as part of the qualitative assessment of the SOQ. Key Personnel will be evaluated, in part, based on the extent to which they meet and/or exceed such requirements including, but not limited to the following: relevant education, training, certification and experience. The following provides a brief job description, licensure requirements and minimum qualifications that must be met for Key Personnel. The Minimum Qualifications and licensure requirements for these positions will be initially evaluated as either “Pass” or “Fail.” A “Fail” Rating in any position can be considered a basis for excluding a Submitter from the short-list. All Key Personnel will be required to be on or immediately adjacent to the Project site or at a facility identified to co-locate the selected Design-Builder’s staff with WSDOT personnel and consultants for the duration of the Project activities that involve their areas of responsibility. WSDOT will not require licenses/certifications to be in place as of the SOQ date provided the SOQ includes a commitment for the licenses/certifications to be obtained prior to award, and provided further that WSDOT determines that the designated individual is qualified to obtain a license/certification. If, in the sole opinion of WSDOT, any of the Key Personnel fail to meet the standards required for performance of the work, WSDOT may disqualify the Submitter/Proposer.

6.5.4.1 Design-Builder’s Project Manager

Job Description

- The Design-Builder’s Project Manager will be responsible for the overall design, construction, quality management and Contract administration for the Project. This person shall be assigned to the Project full time.

Minimum Qualifications

- Must have at least seven years, 10 years preferred, of recent experience managing the design and/or construction of projects on major urban freeways.

6.5.4.2 Construction Manager

Job Description

- The Construction Manager will be responsible for the overall structure and roadway construction for the Project. This person shall be assigned to the Project full time during construction activities. The Design-Builder may elect to have this position be merged with the Design-Builder’s Project Manager.
- The Construction Manager must be on site for the duration of construction activities.

Minimum Qualifications

- Must have at least seven years, ten years preferred, of recent experience in highway construction and quality control.

6.5.4.3 Construction Quality Assurance Manager

Job Description

- It is the responsibility of the Construction Quality Assurance Manager to manage the Design-Builder's workmanship inspections, implement quality planning, oversee the quality assurance testing and inspection and coordinate with WSDOT's verification testing and inspection and independent assurance requirements. The Construction Quality Assurance Manager shall report directly to the person or group with overall project management responsibilities (design, construction, public information, quality, etc.) and not to someone involved exclusively with construction production responsibilities. The Construction Quality Assurance Manager must not be assigned any other duties or responsibilities on the Project. This person will be required to be on site for the duration of the construction activities.
- The Construction Quality Assurance Manager shall have the authority to stop any and all work that does not meet the standards, specifications or criteria established for the Project.

Required Licensure

- Must be a registered professional engineer in the State of Washington prior to the award of the Contract.

Minimum Qualifications

- Must have at least six years, 10 years preferred, of recent experience overseeing the inspection and materials testing on major highway construction projects. Of the six years minimum, the Construction Quality Assurance Manager shall have a minimum of three years experience in construction materials acceptance administration and a minimum of three years experience in construction inspection administration. The experience of an assistant to the Construction Quality Assurance Manager may be used to meet the experience requirement of up to three years of either construction inspection or construction materials administration.

6.5.4.4 Design Manager

Job Description

- The Design Manager will be responsible for ensuring that the overall Project design is completed and design criteria requirements are met. The Design Manager must be on site whenever design activities are being performed.
- The Design Manager must work under the direct supervision of Design-Builder's Project Manager or the individual responsible for the coordination of design and construction activities.

Required Licensure

- Must be a registered professional engineer in the State of Washington prior to award of the Contract

Minimum Qualifications

- Must have at least ten years of recent experience in managing the design of major urban freeways.

6.5.4.4 Environmental Compliance Manager

Job Description

- Integrate with the design team to review plans and advise on how to avoid and minimize adverse effects to the natural environment and communities.
- Ensure and provide documentation that design and construction work complies with all environmental commitments agreed to in the environmental documents, permits and approvals of the Project.
- Act as a liaison to WSDOT, regulatory agencies, design team, and construction contractor (i.e., submit reports, discuss changes in the Project, communicate compliance issues, etc.).
- Must have the authority and means to bring the Project into compliance and/or stop work if the Project is in violation of an environmental or cultural regulation or permit.
- Must be on site for the duration of both the design and construction periods of the Project.

Minimum Qualifications

- Must have at least five years, ten years preferred, of experience managing environmental compliance issues on projects. At least three years of this experience must be specific to linear transportation projects including:
 - Reviewing engineering plans to ensure the project's design reflects Environmental Specifications in the contract.
 - Wetland and sensitive environmental area identification; ability to avoid violations or identify that a violation is occurring or has occurred.
 - Preparing and implementing a monitoring plan to ensure erosion/sedimentation and spill control devices (Best Management Practices) are effective and are maintained.
 - Certified through the WSDOT Construction Site and Erosion and Sediment Control Certification Course, or equivalent.

6.6 Submitter Experience (Section 6)

6.6.1 Objective

The information required by this section will be used in the qualitative assessment of the SOQ. WSDOT will evaluate the capabilities of the Submitter organization to effectively deliver the Project.

6.6.2 Requirements and information to be submitted:

- A. The Submitter shall complete Form B for each Major Participant and Form C for each Major Participant that will perform construction. These forms shall be completed by the Submitter and each identified Major Participant that will perform work on the Project, and shall be included in the SOQ as indicated in Section 5.2.
- B. The Submitter shall complete Form Ds and should highlight experience relevant to the Project that the Submitter and its team members have gained in the last 5 years. The experience presented in the Form D's should demonstrate the team's experience on design, construction and design-build highway projects of a similar size and/or scope to this Project. Cite projects that are similar in scope and/or those which had environmental features comparable to the Kirkland Stage 1 Project. (For additional details, Section 7.1.2.2 lists criteria the evaluation team will consider when reviewing and scoring Section 6 of the SOQ.) For projects in which several of the proposed team members were involved together, a single Form D may be used, but each team member's role and responsibility should be highlighted. Proposed Key Personnel who worked on each project should be identified, including their roles and responsibilities. The size of each box in the form may be expanded as necessary to provide space for all pertinent information, but each Form D shall not exceed four 8.5" X 11" pages in length.

6.7 Organizational Approach (Section 7)

The purpose of this section is to demonstrate the Submitter's understanding of how its organizational structure will contribute to the overall success of a design-build project and meet the Project Goals listed in Section 3.3 and associated items listed in Section 7.1.2.3.

Provide, at a conceptual level, a narrative describing your team's approach to the Project. An introductory statement should be made to present the Key Personnel and why they are uniquely qualified as a team to lead the Project. For the organization proposed, provide a brief, written description of significant functional relationships among participants and how the proposed organization will function as an integrated design-build team to deliver the Projects Goals.

7.0 EVALUATION PROCESS

7.1 SOQ Evaluation

This section outlines the general scoring WSDOT will use for the RFQ phase of the procurement. Evaluations will be based on how well the SOQ responds to the requirements described in Chapter 6 of this RFQ. If the information provided for an evaluation factor is not complete, the Submitter may be eliminated from further consideration.

The evaluation factors are divided into two types, “Pass/Fail” and “Ranked”. Criteria for determination of the Pass/Fail and Ranked ratings for each evaluation factor are described below.

7.1.1 Pass/Fail Evaluation Factors

The pass/fail evaluation factors are as follows:

Section 1: Introductory Letter

- Submitter name, address, business type (e.g. corporation, partnership, joint venture) included
- Roles of submitter and each major participant included
- Identification of a single point of contact, address, telephone and fax numbers, and email
- Letter is signed by an authorized representative and each major participant
- Letter certifies the truth and correctness of the SOQ
- Letter includes all information requested in Chapter 6.1 of this RFQ
- Form AA is completed and attached

Section 2: Submitter Information

- Designated resumes and Form F provided in Section 5
 - Key Personnel meet licensure and minimum requirements as presented in this RFQ
- Submitter information, Forms A through F completed for all applicable parties and included as follows:
 - Form A included in Section 2
 - Form B included in Section 6
 - Form C included in Section 6
 - Form D included in Section 6
 - Form E included in Section 7
 - Form F included in Section 5
- Organizational chart provided in Section 7

Section 3: Legal

- Legal structure and documentation provided
- Acceptable statement addressing joint and several liability
- Organizational conflicts of interest information provided and acceptably addressed

Section 4: Financial

- Surety (Bonding) letter(s) included and meet requirements.
- List of required history of bonding companies

If a Submitter receives a passing score on all pass/fail evaluation factors, its SOQ will be further evaluated using the ranked criteria below. If a Submitter fails on any single pass/fail requirement, the SOQ may be rated as unacceptable, the ranked evaluation factors may not be scored, and the Submitter may not be included on the short-list.

7.1.2 Ranked Evaluation Factors

Numerical scores will be assigned by a WSDOT Evaluation Committee to the evaluation categories shown below. Within these categories, points, to the maximum shown, will be distributed among the subsections for each Project Goal as follows:

Quality of Design and Construction (500 Points Maximum)

Excellent project management is essential to achieving WSDOT's Project Goals – quality design and construction, environmental compliance and innovation, maintenance of traffic and public information and community involvement. WSDOT needs a Design-Build Team that is sufficiently experienced and properly organized to efficiently deliver a quality product on time and within budget. This requires a dedicated organization with clear lines of communication and authority, well qualified staff, strong management, and comprehensive plans for quality control and quality assurance.

Environmental Compliance and Innovation (250 Points Maximum)

The Project offers unique opportunities to enhance environmental resources and improve conditions in the corridor from those that exist today. The I-405 team has been meeting with the Resource Agencies to develop strategies to ensure the Project meets or exceeds their environmental requirements.

Therefore, WSDOT will rank highly Submitters who have demonstrated a commitment and ability to conduct all affairs in accordance with the dictates of sound environmental protection practices and restoration techniques. WSDOT will also rank highly Submitters who have demonstrated the ability to foster good relationships with federal, state, and local agencies, the tribes, and local stakeholders by ensuring that environmental commitments were reflected in the final design and implemented during construction.

Maintenance of Traffic (125 Points Maximum)

Public confidence and local agency support depends on well planned and executed maintenance of traffic strategies. Therefore, it is important that the traffic flow be maintained with minimum impact to the traveling public and adjoining property owners during the construction of the Project. Less than optimum maintenance of traffic strategies can contribute to increased congestion and deterioration of the operation of the highway, thereby reducing the ability of the roadway to efficiently and safely move higher volumes of traffic. It is also important that the adjoining local street traffic, such as on NE 116th Street, be maintained and any proposed disruption to this street or other local streets must be planned well and coordinated with the appropriate agencies and the public kept informed.

WSDOT will rank highly Submitters who have demonstrated the ability to maximize the traffic flow and minimize the impact to the public while ensuring the safety of the traveling public as well as the workers.

Public Information and Community Involvement (125 Points Maximum)

Community involvement and trust have been a major focus on the Project. In addition to public open houses, neighborhood meetings, and a speaker's bureau, the I-405 Team has developed the Kirkland Advisory Committee (KAC) to review corridor-wide issues such as interchange location/designs, mainline issues, traffic, safety, and Context Sensitive Solutions (CSS). Several members represent the KAC on a corridor-wide Aesthetic Committee, focused on the bigger-picture, "view from the corridor" viewshed.

WSDOT has established a memorandum of understanding with the City of Kirkland that commits to continued interaction and review by the KAC and Aesthetic Committee. The Design-Builder's team will be required to meet periodically with the KAC to demonstrate that the Design-Build team is following through on these commitments. The Design-Build team will be responsible for communications related to construction schedule and impacts.

The following is a description of the I-405 Team's approach to scoring:

7.1.2.1 Key Personnel

Resumes of the Key Personnel will be evaluated. The qualitative score will be assigned based upon the extent that the individual's education and experience meets or exceeds the minimum requirements set forth in Chapter 6.5.4 of this RFQ. Particular value will be given to experience on projects on the interstate and projects of a similar nature.

7.1.2.2 Submitter Experience

The Submitter will be evaluated on how well its previous project experience, as presented in Form D, indicates it can meet the stated Project Goals. Factors to be considered include, but are not limited to:

Quality of Design and Construction

- Experience of Major Participants and coincident Key Personnel on similar projects
- Record of cost and schedule control, including mechanisms used to achieve goals of avoiding delays and minimizing cost escalation
- Integration of design and construction activities
- Indication of a successful management structure
- Indication of meeting technical requirements and providing a quality product
- Record of minimal design revisions, change orders and construction re-work
- Safety Record (Form C)
- Meeting regulatory requirements
- Successful partnering and dispute resolution
- Successful permitting, approvals and compliance

Environmental Compliance and Innovation

- Designed and constructed projects to avoid or minimize impacts to environmentally sensitive areas (i.e., wetlands, streams, floodplains, steep hillsides, etc.)
- Federal, state, and local permits your team was required to comply with and how you coordinated with regulatory agencies
- Strong environmental ethic demonstrated by meeting project goals and exceeding permit requirements
- Designed, constructed and/or monitored environmental mitigation and mitigation sites
- Selected, constructed, maintained and documented effective Best Management Practices (BMPs) to ensure compliance with regulations and permit conditions
- Planned and mitigated for non-compliance events or permit violations; Submitter should demonstrate steps implemented that minimized the risk of non-compliance events
- Managed subcontractors to ensure they avoided permit violations and remained in compliance with regulations

Maintenance of Traffic

- Experience and ability to develop and implement traffic control phasing plans and traffic management strategies to maximize traffic flow during construction
- Experience and ability to minimize impacts to traffic due to construction work
- Experience implementing construction practices which reduced traffic impacts and future maintenance

Public Information and Community Involvement

- Experience with providing public information through recognized and/or innovative means to inform and engage the public
- Experience with highway construction projects in congested urban environments, and/or other transportation/large infrastructure projects
- Awards and/or commendations for providing public information on large projects

7.1.2.3 Organizational Approach

Section 7 of the SOQ will be evaluated to determine the capability of the Submitter's proposed team to meet the stated Project Goals, with reference to the experience of the team members, the organizational structure established and the tools, strategies or activities it will use. Factors to be considered include, but are not limited to:

Quality of Design and Construction

- Team organization to meet technical requirements
- Plans and strategies to control schedule and budget
- Assignment of levels of authority and responsibility
- Approach to decision making
- Communication plan for the team
- Plan for providing quality design and construction product
- Organization and plan to meet administrative and regulatory requirements

Environmental Compliance and Innovation

- How your organizational structure will ensure that environmental impact avoidance and minimization measures are fulfilled and environmental specifications and goals are implemented during design and construction
- How your organization will react in the event of a non-compliance event or permit violation; specifically, which personnel within your organization would be involved in identifying the issue and how they would function to resolve the issue

Maintenance of Traffic

- Your team's proposed approach to minimizing impacts and coordinating with local jurisdictions, other projects and WSDOT regarding lane closures, restrictions and detours

Public Information and Community Involvement

- Your team's approach to formulating and implementing public information plans for continuing to engage, coordinate and communicate with the project owner, stakeholders and the public in the design and construction process
- Your team's approach to working with community advisory boards, citizen advisory committees and similar groups, and implementing a Context Sensitive Solutions process
- Your team's approach for responding to citizen and/or business concerns during construction
- Your team's approach to coordinating with partnering agencies and other projects that take place in or near the project area to avoid simultaneous construction impacts
- Your team's approach to coordinating with traffic engineering teams on maintenance of traffic and incident response

Project Understanding

- Demonstrated understanding of the roles and responsibilities required of a public information specialist on a design-build project as it relates to coordination with the owner (WSDOT).

7.2 Scoring Summary

The following table summarizes scoring of the SOQs.

Section	SOQ Scoring Criteria	Score	Maximum Possible Score
Introduction Letter			
	Includes and properly addresses requirements of Chapter 6.1		P/F
	Form AA Acknowledgment of Addenda		P/F
Submitter Information			
	Key Personnel meet licensure and minimum requirements		P/F
	Forms A through E complete		P/F
	Organization Chart		P/F
Legal			
	Legal structure and supporting documents		P/F
	If JV, statement of joint and several liability		P/F
	Organizational conflicts of interest information		P/F
Financial			
	Surety Letters		P/F
	5 year history of bonding companies		P/F
Quality of Design and Construction			500
Environmental Compliance and Innovation			250
Maintenance of Traffic			125
Public Information and Community Involvement			125
	Total Points		1,000

7.3 Determining Short List

WSDOT will total the scores for each responsive SOQ and prepare a ranked list of Submitters. WSDOT will short-list at least three (if any) but not more than five of the most highly qualified Submitters.

WSDOT reserves the right, in its sole discretion, to cancel this RFQ, issue a new RFQ, reject any or all SOQs, seek or obtain data from any source that has the potential to improve the understanding and evaluation of the responses to this RFQ, seek and receive clarifications to an SOQ and waive any deficiencies, irregularities or technicalities in considering and evaluating the SOQs.

This RFQ does not commit WSDOT to enter into a contract or proceed with the procurement of the Project. WSDOT assumes no obligations, responsibilities and liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred by the parties responding to this RFQ. All such costs shall be borne solely by each Submitter.

7.4 Notification of Short listing

Upon completion of the evaluation, scoring and short-listing process, WSDOT will send the list of short-listed Submitters to all Submitters or will notify them of any decision not to issue a short-list. WSDOT will also publish the list on its design-build website.

7.5 Debriefing Meetings

Once WSDOT announces the short-list (if any), WSDOT is willing to meet individually with each of the Submitter organizations. These debriefing meetings would give Submitters and WSDOT an informal setting to discuss this RFQ and the procurement process.

8.0 PROCUREMENT PHASE 2

This chapter is provided for informational purposes only so that each Submitter has information that describes the second phase of the Project procurement process, including a summary of certain anticipated RFP requirements. WSDOT, in its sole discretion, reserves the right to make changes to the following, and the short-listed Submitters may rely only on the actual RFP when and if it is issued. This chapter does not contain requirements related to the SOQ. WSDOT expects to conduct an industry review of a draft RFP with the short-listed Submitters before it issues the RFP.

8.1 Request for Proposals

The short-listed Submitters will be eligible to move to Phase 2 of the procurement process and receive an RFP. While WSDOT may make the RFP available to the public for informational purposes, only the short-listed entities will be allowed to submit a response to the RFP.

8.2 RFP Content

8.2.1 RFP Structure

The RFP is expected to be structured as follows:

- a) Instructions to Proposers
- b) Contract Documents
 - Chapter 1 – General Conditions
 - Chapter 2 – Technical Provisions
 - Appendices

8.2.2 RFP Information

The RFP is expected to include the following information:

- a) Maximum time allowable for design and construction
- b) WSDOT's final cost estimate for the Project
- c) Requirements for a proposed schedule of work
- d) Requirements for submitting Alternative Technical Concepts (ATCs)
- e) A requirement that if the Proposer is a joint venture, each of the joint venture members will be, if awarded the Contract, jointly and severally liable for performance of the Design-Builder's obligations under the Contract

8.2.3 Warranties

The RFP may require the Design-Builder to provide a two-year general warranty as well as three-year specific warranties on pavement.

8.3 Pre-Proposal Meeting

WSDOT will offer each short-listed Proposer the opportunity to meet before the proposal due date to discuss the Project and the RFP process, as well as separate meetings to discuss any ATCs being developed. In any such meeting, WSDOT will meet with only one Proposer at a time. Proposers would not be required to accept the meeting offers.

8.4 Proposals Submitted in Response to the RFP

Short-listed Proposers that choose to continue in the procurement process must submit a two-part Proposal. The first part is the technical proposal, and the second part is the price proposal. The RFP will specifically define formats and page limits for the Proposal packaging and all Proposal contents.

8.5 Proposal Evaluations

Assuming the Contract is awarded, award will be made to the Proposer that is determined to have offered the Proposal offering the best value to WSDOT, determined as set forth in the RFP.

8.6 Stipends

WSDOT plans to award a stipend in the amount of \$100,000 to each short-listed, responsible Proposer that provides a responsive but unsuccessful Proposal. Terms and conditions associated with payment of the stipend will be set forth in the RFP.

No stipends will be paid for submitting SOQs.

9.0 PROTEST PROCEDURES

This chapter sets forth the exclusive protest remedies available with respect to this RFQ. Each Submitter, by submitting its SOQ, expressly recognizes the limitation on its rights to protest contained herein, expressly waives all other rights and remedies and agrees that the decision on any protest, as provided herein, shall be final and conclusive unless wholly arbitrary and capricious. These provisions are included in this RFQ expressly in consideration for such waiver and agreement by the Submitters. Such waiver and agreement by each Submitter are also consideration to each other Submitter for making the same waiver and agreement.

9.1 Protests Regarding RFQ

The Submitter may protest the terms of this RFQ prior to the time for submission of SOQs on the grounds that (a) a material provision in this RFQ is ambiguous, (b) any aspect of the procurement process described herein is contrary to legal requirements applicable to this procurement, or (c) this RFQ in whole or in part exceeds the authority of WSDOT. Protests regarding this RFQ shall be filed only after the Submitter has informally discussed the nature and basis of the protest with WSDOT's Contract Manager in an effort to remove the grounds for protest.

Protests regarding this RFQ shall completely and succinctly state the grounds for protest and shall include all factual and legal documentation in sufficient detail to establish the merits of the protest. Evidentiary statements, if any, shall be submitted under penalty of perjury.

Protests regarding this RFQ shall be filed as soon as the basis for protest is known to the Submitter, but in any event it must be actually received no later than ten calendar days before the SOQ due date, provided that protests regarding an addendum to this RFQ shall be filed and actually received by WSDOT no later than five calendar days after the addendum to this RFQ is issued (or no later than the SOQ due date, if earlier).

Protests regarding this RFQ shall be filed in writing by hand delivery or courier to the Protest Official with a copy to WSDOT's Contract Manager. The "Protest Official" is defined as:

Ken Walker
WSDOT Contract Ad and Award
PO Box 47360
Olympia, WA 98504-7360

WSDOT will distribute copies of the protest to the other Submitters and may, but need not, request other Submitters to submit statements or arguments regarding the protest and may, in its sole discretion, discuss the protest with the protesting Submitter. If other Submitters are requested to submit statements or arguments, they may file a statement in support of or in opposition to the protest within seven calendar days of the request.

The protesting Submitter shall have the burden of proving its protest by clear and convincing evidence. No hearing will be held on the protest. The Protest Official or his designee will decide the protest on the basis of the written submissions. WSDOT will furnish copies of the decision in writing to each Submitter. The decision shall be final and conclusive. If necessary to address the issues raised in the protest, WSDOT will make appropriate revisions to this RFQ by issuing addenda. WSDOT may at its sole discretion extend the SOQ due date, if necessary, to

address any protest issues. Each party shall bear its own attorney fees, and legal costs which may result from the protest.

The failure of a Submitter to raise a ground for a protest regarding this RFQ within the applicable period shall constitute an unconditional waiver of the right to protest the terms of this RFQ and shall preclude consideration of that ground in any protest of qualification of a Submitter unless such ground was not and could not have been known to the Submitter in time to protest prior to the final date for such protests.

9.2 Protests Regarding Responsiveness and Short listing

A Submitter may protest the results of the above-described evaluation and qualification process by filing a notice of protest by hand delivery or courier to the Protest Official. The protesting Submitter shall concurrently file a copy of its notice of protest with the other Submitters. The notice of protest shall specifically state the grounds of the protest.

Notice of protest of any decision to accept or disqualify a SOQ on responsiveness grounds must be filed within five business days after the earliest to occur of (a) notification of non-responsiveness, (b) the scheduled date for oral meetings and presentations (if any) or (c) the public announcement of short-listed Submitters. Notice of protest of the decision on short-listed Submitters must be filed and actually received by the Protest Official within five business days after the public announcement of the short-listed Submitters.

Within seven calendar days of the notice of protest the protesting Submitter must file with the Protest Official a detailed statement of the grounds, facts and legal authorities, including all documents and evidentiary statements, in support of the protest. The protesting Submitter shall concurrently deliver a copy of the detailed statement to all other Submitters. Evidentiary statements, if any, shall be submitted under penalty of perjury. The protesting Submitter shall have the burden of proving its protest by clear and convincing evidence.

Failure to file a notice of protest or a detailed statement within the applicable period shall constitute an unconditional waiver of the right to protest the evaluation or short-listing process and decisions there under, other than any protest based on facts not reasonably ascertainable as of such date.

Other Submitters may file by hand delivery to the Protest Official a statement in support of or in opposition to the protest. Such statement must be filed within seven calendar days after the protesting Submitter files its detailed statement of protest. WSDOT will promptly forward copies of any such statements to the protesting Submitter.

Unless otherwise required by law, no evidentiary hearing or oral argument shall be provided, except, in the sole and absolute discretion of the Protest Official or his designee, a hearing or argument may be permitted if necessary for protection of the public interest or an expressed, legally recognized interest of a Submitter or WSDOT. The Protest Official or his designee shall issue a written decision regarding the protest within 15 calendar days after the Protest Official receives the detailed statement of protest. Such decision shall be final and conclusive. The Protest Official or his designee shall deliver the written decision to the protesting Submitter and copies to the other Submitters.

If a notice of protest regarding responsiveness is filed prior to the oral presentation process (if

any), WSDOT may proceed with the oral presentation process and may short-list Submitters before the protest is withdrawn or decided, unless the Protest Official or his designee determines, in his sole discretion, that it is in the public interest to postpone the qualification prior to a decision. Such a determination shall be in writing and shall state the facts on which it is based.

If the Protest Official or his designee concludes that the Submitter filing the protest has established a basis for protest, the Protest Official or his designee will determine what remedial steps, if any, are necessary or appropriate to address the issue raised in the protest. Such steps may include, without limitation, submitting the issue to WSDOT's selection committee to determine whether the list of Submitters selected to submit proposals should be revised, withdrawing or revising the decisions, issuing a new RFQ or taking other appropriate actions.

If the protest is denied, the protesting Submitter may seek judicial review of WSDOT's decision in Thurston County Superior Court within five days of receiving WSDOT's decision denying the protest. Each party shall bear its own attorney fees, expert witness fees, and all other legal costs.

9.3 Costs and Damages

WSDOT shall not be liable for damages to the Submitter filing the protest or to any participant in the protest, on any basis, express or implied.

FORMS:

FORM AA: ACKNOWLEDGEMENT OF RECIEPT OF ADDENDA

FORM A: SUBMITTER INFORMATION

FORM B: SUBMITTER CERTIFICATION

FORM C: SUBMITTER SAFETY STATISTICS

FORM D: SUMMARY OF COMPARABLE CONTRACTS IN THE PAST 5 YEARS

FORM E: SUBMITTER'S ORGANIZATION INFORMATION

FORM F: KEY PERSONNEL MATRIX

FORM AA

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA (To be attached to SOQ Cover Letter)

(Name of Submitter)

We hereby acknowledge receipt of the I-405, SR 520 to SR 522 Stage 1 Design-Build Project RFQ dated _____, and subsequent addenda and responses to questions by the Washington State Department of Transportation as follows.

ADDENDUM No.

Response To Questions No.

Date Issued

(Signed)

(Date)

(Printed or Typed Name)

(Title)

FORM A

SUBMITTER INFORMATION

Submitter: _____

Name of Firm: _____

Year Established: _____ Federal Tax ID No. _____

Telephone No.: _____ Fax No.: _____

Name of Official Representative: _____

Business Organization (check one):

- ☐ Corporation (If yes, then indicate the State and Year of Incorporation): _____
- ☐ Limited Liability Company (if yes, then indicate the State and Year of formation and complete Sections A-F)
- ☐ Partnership (If yes, complete Sections A-F)
- ☐ Joint Venture (If yes, complete Sections A-F)
- ☐ Other (describe) _____

A. Business Name: _____

B. Business Address:
Headquarters: _____

Office Performing Work: _____

Contact Telephone Number: _____

C. Bonding Capacity:

Total: _____ Available: _____

FORM A, cont.

SUBMITTER INFORMATION

- D. If the entity is a Limited Liability Company, Joint Venture or Partnership, indicate the name and role of each member firm in the space below. Complete a separate Submitter Information form for each member firm and attach it to the SOQ. Also indicate the name and role of each other financially liable party and attach a separate form.

Names of Member Firms	Role	Financial Liability

- E. Have any banks refused to lend to the firm in the last two years?

☐ Yes

☐ No

If yes, please explain. _____

Under penalty of perjury, I certify that I am the firm's Official Representative and that, to the best of my knowledge and belief, following reasonable inquiry, the foregoing is true and correct.

By: _____ Print Name: _____

Title: _____ Date: _____

[Please make additional copies of this form as needed.]

FORM B

SUBMITTER CERTIFICATION

Submitter: _____

Firm Name: _____

1. Within the past five years, has the firm or any affiliate* ever failed to complete any work it agreed to perform, or had a contract terminated?

☐ Yes ☐ No

If yes, please explain: _____

2. Is any litigation pending by a project owner against the firm or any affiliate*?

☐ Yes ☐ No

If yes, please explain: _____

3. Has the firm or any affiliate* or any officer thereof, been indicted or convicted of bid or other contract related crimes or violations (including violations of federal, state or local laws related to fraudulent claims) or any other felony or serious misdemeanor within the past five years?

☐ Yes ☐ No

If yes, please explain: _____

4. Has the firm or any affiliate* ever sought protection under any provision of any bankruptcy act within the last 10 years?

☐ Yes ☐ No

* Affiliates include the firm's parent company and the firm's subsidiary companies, and any other subsidiary or affiliate of the parent whose experience is cited as the basis for the firm's qualifications.

FORM B, cont.
SUBMITTER CERTIFICATION

If yes, please explain: _____

5. Has the firm or any affiliate* ever been debarred or suspended from performing work for the federal government, any state or local government, or any foreign governmental entity?

☐ Yes ☐ No

If yes, please explain: _____

6. Has the firm or any affiliate* been assessed liquidated damages or stipulated damages during the past five years on any project (including penalties for nonconforming work as well as completion delay)?

☐ Yes ☐ No

If yes, please explain, including a description of any nonconforming work and a statement regarding the duration of the delay and the cause: _____

7. Is the firm or any affiliate* currently asserting against any public agency any construction claim(s) in excess of \$100,000, or has it made any such claim(s) against any public agency during the past three years, or have any such claims been taken to arbitration, mediation or litigation during the past five years? For purposes of this question, the term "claim" shall include each separate demand for payment of money or damages arising from work done or to be done by or on behalf of the contractor in connection with a public works contract which was disputed by the public agency, even though the agency may have ultimately agreed to make payment.

☐ Yes ☐ No

If yes, complete the attached form ("Explanation of Answers to Question 7") for each affected project (duplicate if necessary).

8. Has the firm or any affiliate* ever been the subject of any inquiry by any public agency as to whether it has made any false claim or other material misrepresentation?

☐ Yes ☐ No

If yes, as to each such inquiry, state the name of the public agency, the date of the inquiry, the grounds on which the public agency based the inquiry, and the result of the inquiry.

FORM B, cont.
SUBMITTER CERTIFICATION

9. Is the firm or any affiliate* under investigation (formal or informal) by any agency of the federal government (e.g. the Justice Department, Securities Exchange Commission, Department of Defense, Federal Trade Commission, etc.) or by any agency of a state or foreign government?

☐ Yes ☐ No

If yes, please explain. _____

10. Has any construction project performed or managed by the firm or any affiliate* involved repeated or multiple failures to comply with safety rules, regulations, or requirements?

☐ Yes ☐ No

If yes, please identify the team members and the projects, provide an explanation of the circumstances, and provide owner contact information including telephone numbers.

11. Within the past five years, has the firm or any affiliate* been involved as a defendant in any litigation regarding design or construction defects or warranty claims.

☐ Yes ☐ No

If yes, please identify the team members and the projects, provide an explanation of the circumstances, and provide owner contact information including telephone numbers.

Under penalty of perjury, I certify that I am the firm's Official Representative and that, to the best of my knowledge and belief, following reasonable inquiry, the foregoing is true and correct.

By: _____ Print Name: _____

Title: _____ Date: _____

[Please make additional copies of this form and/or attach pages as needed.]

FORM B, cont.
SUBMITTER CERTIFICATION

EXPLANATION OF ANSWER TO QUESTION 7

Project: _____

Name of Firm: _____

Relationship of Firm to Submitter: _____

Name of Owner: _____

Owner Contact (individual's name and phone no.): _____

Original Contract Price (approx.): \$ _____

Current Contract Price (approx.): \$ _____

Total Outstanding Claims for Price Increases (approx.) \$ _____

Describe claims over \$100,000 resolved without arbitration, mediation or litigation:

Circumstances	Original Amount Claimed	Amount of Settlement

Describe disputes taken to arbitration, mediation or litigation:

Dispute (include amount)	Resolution (include amount)

[DUPLICATE AS NECESSARY]

FORM C

SUBMITTER SAFETY STATISTICS

Submitter's Name: _____

Firm Name: _____

Year	Incident Rate	Lost Work Day Index	Cost of Accident per Employee	Experience Modification Rating	No. of Fatalities	No. of Lost Work Days	No. of Recordable Injuries	No. of Near Misses
2003								
2002								
2001								
2000								
1999								

Incident Rate = $\frac{(\text{Number of Injuries and Illnesses}) \times 200,000}{\text{Total Hours Worked}}$

Lost Work Day Index = $\frac{(\text{Number of Lost Work Days}) \times 200,000}{\text{Total Hours Worked}}$

Cost of Accident per Employee = $\frac{\text{Total Cost of Accidents}}{\text{Average Number of Employees}}$

Experience Modification Rating = $\frac{\text{Actual Claims per Year}}{\text{Expected Claims based on Past 3 Year Trending}}$

Under penalty of perjury, I certify that I am the firm's Official Representative and that, to the best of my knowledge and belief, following reasonable inquiry, the foregoing is true and correct.

By: _____ Print Name: _____

Title: _____ Date: _____

[Please make additional copies of this form and attach additional sheets as needed.]

FORM D

SUMMARY OF COMPARABLE CONTRACTS IN THE PAST 5 YEARS

1. Firm(s) Name(s):	2. Title of the project:
3. Contract No.	4. Type: <input type="checkbox"/> Construction <input type="checkbox"/> Design-Build <input type="checkbox"/> Design
5. Name of Prime Contractor:	6. Firm role (joint venture partner, subcontractor, etc.):
7. Owner (Name): Address: Phone: Contact Person: Owner's Design Mgr.: Phone No.: Owner's Construction Mgr.: Phone No.:	8. Total Contract Value (Initial amount): \$ Total Contract Value (Current amount): \$ Work carried out by your own forces (%): Amount of performance bond (supplied by your firm):
9. Duration of the work -- Planned (contracted): -- Actual:	10. Year of completion -- Planned (contracted): -- Actual:
11. List of proposed key personnel for I-405 Kirkland Stage 1 Design-Build Project who worked on the example project. Include their experience, role and responsibility and show how this relates to the goals for the I-405 Kirkland Stage 1 Design-Build Project.	

FORM D cont.

12. Describe the nature of work performed by the firm(s) and how this experience relates to the following I-405 Kirkland Stage 1 Design-Build Project goals:

a. Quality of Design and Construction

i. Record of an Effective Team Organization

ii. Record of Schedule and Budget Control

iii. Record of Quality Products

iv. Record of Meeting Administrative Requirements

FORM D cont.

b. Environmental Compliance

c. Maintenance of Traffic

FORM D cont.

d. Community Involvement

13. Provide list of warranted items and name and phone number of manager administering the warranties for the owner.

[Please make additional copies of this form as needed.]

FORM E

SUBMITTER'S ORGANIZATION INFORMATION			
SUBMITTER (INDIVIDUAL FIRM/JOINT VENTURE/PARTNERSHP/LLC)			
Name of Entity:			
Address:			
Contact Name:		Title:	
Telephone No.	Fax No.:		E-Mail:
LOCAL/REGIONAL CONTACT			
Name of Entity:			
Address:			
Contact Name:		Title:	
Telephone No.:	Fax No.:		E-Mail:

FORM E cont.

NAME(S) OF SUBMITTER ENTITY(IES)					
Major Participant(s) Company Name	Address/Phone/E-Mail	Service Provided	Experience Years	Number of Employees	Number of Employees in WA State

Form F

Key Personnel Matrix

Position	Name	Time with Current Employer (Years and Months)	Percent of Time Committed to this Project	Proposed Location of Personnel	References
Design Builder's Project Manager			Design ____% Construction ____%		1)Name: _____ Position: _____ Company or Agency: _____ Phone # () _____ Fax # () _____ Email Address: _____
					2)Name: _____ Position: _____ Company or Agency: _____ Phone #: _____ Fax #: _____ Email Address: _____
					3)Name: _____ Position: _____ Company or Agency: _____ Phone #: _____ Fax #: _____ Email Address: _____
Construction Manager (Position Optional. See Section 6.5.3)			Design ____% Construction ____%		1)Name: _____ Position: _____ Company or Agency: _____ Phone # () _____ Fax # () _____ Email Address: _____
					2)Name: _____ Position: _____ Company or Agency: _____ Phone #: _____ Fax #: _____ Email Address: _____
					3)Name: _____ Position: _____ Company or Agency: _____ Phone #: _____ Fax #: _____ Email Address: _____
Construction Quality Manager			Design ____% Construction ____%		1)Name: _____ Position: _____ Company or Agency: _____ Phone # () _____ Fax # () _____ Email Address: _____

FORM F cont.

Position	Name	Time with Current Employer (Years and Months)	Percent of Time Committed to this Project	Proposed Location of Personnel	References
					2)Name: _____ Position: _____ Company or Agency: _____ Phone #: _____ Fax #: _____ Email Address: _____
					3)Name: _____ Position: _____ Company or Agency: _____ Phone #: _____ Fax #: _____ Email Address: _____
Design Manager			Design ____% Construction ____%		1)Name: _____ Position: _____ Company or Agency: _____ Phone # () _____ Fax # () _____ Email Address: _____
					2)Name: _____ Position: _____ Company or Agency: _____ Phone #: _____ Fax #: _____ Email Address: _____
					3)Name: _____ Position: _____ Company or Agency: _____ Phone #: _____ Fax #: _____ Email Address: _____
Environmental Compliance Manager			Design ____% Construction ____%		1)Name: _____ Position: _____ Company or Agency: _____ Phone # () _____ Fax # () _____ Email Address: _____
					2)Name: _____ Position: _____ Company or Agency: _____ Phone #: _____ Fax #: _____ Email Address: _____
					3)Name: _____ Position: _____ Company or Agency: _____ Phone #: _____ Fax #: _____ Email Address: _____